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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/712,380

11/14/2003

Adam M. Litt

007

9591

42067

7590

11/19/2008

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EXAMINER

LASTRA, DANIEL

ART UNIT

PAPER NUMBER

3688

MAIL DATE

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11/19/2008

PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

<b>Office Action Summary</b>	<b>Application No.</b> 10/712,380	<b>Applicant(s)</b> LITT ET AL.	
	<b>Examiner</b> DANIEL LASTRA	<b>Art Unit</b> 3688	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 31 July 2008.
- 2a) ☒ This action is **FINAL**.                      2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-20 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-20 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All    b) ☐ Some \*    c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)          | 4) <input type="checkbox"/> Interview Summary (PTO-413)           |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____                                      |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)          | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date _____  | 6) <input type="checkbox"/> Other: _____                          |

### **DETAILED ACTION**

1. Claims 1-20 have been examined. Application 10/712,380 (METHOD FOR ADVERTISING AND SELLING PRODUCTS ONLINE) has a filing date 11/14/2003.

#### ***Response to Amendment***

2. In response to Non Final Rejection filed 06/24/2008, the Applicant filed an Amendment on 07/31/2008, which amended claims 1, 2 and 14.

#### ***Claim Rejections - 35 USC § 103***

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 1-13 and 15-20 are rejected under 35 U.S.C. 103(a) as being unpatentable over Evans (US 2002/0036654) in view of Long (US 2004/0205476).

Claim 1, Evans teaches:

A method for advertising and selling products online, comprising:

a) providing to a customer an item information template for inputting information into an electronic information database (see paragraph 8);

b) prompting said customer via said template to enter item information into said database about at least one item for sale by said customer (see paragraph 9);

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c) creating an electronic web page associated with one of said customer and said item (see paragraph 52);

d) displaying said item information on said web page (see paragraph 52);

Evans does not teach:

e) creating and providing said customer with an electronic address; and

f) assigning said electronic address to said web page so that said item information displayed on said web page is viewable when said electronic address is accessed, wherein said electronic address has a primary address and a secondary address, said primary address assigned to a main web page and said secondary address having at least one of the following properties: said secondary address is chosen at least in part by said customer; and said secondary address contains no more than fifteen characters *and wherein said primary address comprises a domain name and said secondary address comprises a path*. However, Long teaches that it is old and well known in the promotion art to publish URL address in printed document, where said URL address is an address of a document located in a web server and where said address comprises a domain name (i.e. www.servername.com) and a secondary address chosen in part by a user who created and posted said document in said web server (see paragraphs 43, 55-56). Long does not expressly teach that said secondary address contains no more than fifteen characters. However, it would have been obvious to a person of ordinary skill in the art at the time the application was made, to know that users of the Long's system would manually name a document with 15 characters or less, as said name would be part of a URL address and therefore, the less characters in

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said name the easier would be to users to enter said name in the address part of a web browser and access said document in a web server. Therefore, it would have been obvious to a person of ordinary skill in the art at the time the application was made, to know that Evans would publish advertisements in printed documents, where said advertisements would include an URL address, as taught by Long in order that viewers of said advertisements in said printed documents would be able to obtain additional information about said advertisements by entering said URL address in a web browser.

Claim 2, Evans teaches:

a) providing to a customer an item information template for inputting information into an electronic information database (see paragraph 8);

b) prompting said customer via said template to enter item information into said database about at least one item for sale by said customer (see paragraph 9);

c) creating an electronic web page associated with one of said customer and said item (see paragraph 52); d) displaying said item information on said web page (see paragraph 52);

Evans does not teach:

e) creating and providing said customer with an electronic address; and f) assigning said electronic address to said web page so that said item information displayed on said web page is viewable when said electronic address is accessed, wherein said electronic address has a primary address and a secondary address, said primary address assigned to a main web page and said secondary address having at least one of the following properties: said secondary address is chosen at least in part

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by said customer; and said secondary address contains no more than fifteen characters further comprising encouraging said customer to advertise said electronic address in a non-electronic medium. However, Long teaches that it is old and well known in the promotion art to publish URL address in printed document, where said URL address is an address of a document located in a web server and where said address comprises a domain name (i.e. www.servername.com) and a secondary address chosen in part by a user who created and posted said document in said web server (see paragraphs 43, 55-56). Long does not expressly teach that said secondary address contains no more than fifteen characters. However, it would have been obvious to a person of ordinary skill in the art at the time the application was made, to know that users of the Long's system would manually name a document with 15 characters or less, as said name would be part of a URL address and therefore, the less characters in said name the easier would be to users to enter said name in the address part of a web browser and access said document in a web server. Therefore, it would have been obvious to a person of ordinary skill in the art at the time the application was made, to know that Evans would publish advertisements in printed documents, where said advertisements would include an URL address, as taught by Long in order that viewers of said advertisements in said printed documents would be able to obtain additional information about said advertisements by entering said URL address in a web browser.

Claim 3, Evans teaches:

wherein said non-electronic medium comprises one of a flyer, a newspaper advertisement, and a magazine advertisement (See paragraph 59).

Claim 4, Evans teaches:

wherein said non-electronic medium comprises a classified advertisement in a newspaper (see paragraph 59).

Claim 5, Evans teaches:

advertising said electronic address in a non-electronic medium (see paragraph 59).

Claim 6, Evans teaches:

querying said customer as to whether said customer desires to submit a classified advertisement to a newspaper and, if so, automatically submitting a classified advertisement request to said newspaper on behalf of said customer (see paragraph 59).

Claim 7, Evans fails to teach:

wherein said secondary address is chosen at least in part by said customer and approved by said customer. However, Long teaches that a secondary address of a document in the Internet is chosen by a customer (see paragraph 43). Therefore, the same argument made in claim 1 regarding this missing limitation is also made in claim 7.

Claim 8, Evans does not teach:

wherein said secondary address contains no more than 10 characters. However, the same argument made in claim 1 regarding this missing limitation is also made in claim 7.

Claim 9, Evans teaches:

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wherein said item information includes one of a digital photograph and a digital video of said item for sale (see paragraph 59).

Claim 10, Evans teaches:

providing said customer with an option of creating a flyer based on said item information, wherein if said customer chooses said option, said item information is automatically formatted for a flyer, a flyer is automatically created, and said customer is enabled to print said flyer (see paragraph 59).

Claim 11, Evans teaches:

providing said customer with a one-click option of creating said flyer (see paragraph 59).

Claim 12, Evans teaches:

wherein said web page is associated with said customer, wherein said displaying said item information on said web page comprises displaying only said item information on said web page (see paragraph 52).

Claim 13, Evans teaches:

wherein said web page is associated with said item, wherein said item information is about exactly one item for sale by said customer (see paragraph 52).

Claim 15, Evans teaches:

charging said customer a price for performing steps a) - f), further comprising providing to said customer a comparison of: an estimated cost of running a long classified advertisement in a local newspaper containing information comparable to said item information; and a sum of said price and an estimated cost of running a short

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classified advertisement in said local newspaper containing said electronic address and substantially less information than said item information (see paragraph 60). Evans determines the price of placing an advertisement based on the size of said advertisement such as full page, half page, quarter page (see paragraph 60).

Claim 16, Evans does not teach:

wherein said web page is associated with said main web page, further comprising providing a search engine configured to allow customers to search a plurality of web pages associated with said main web page based on at least one of the following: location of an item for sale; type of item for sale; and price of an item for sale. However, Official Notice is taken that it is old and well known in the computer art to search for information on the Internet. It would have been obvious to a person of ordinary skill in the art at the time the application was made, to know that Evans would allow users to search for ads on the Internet, as it is old and well known to do so.

Claim 17, Evans teaches:

providing to a different customer a wanted item information template for inputting information into said database; prompting said different customer via said wanted item information template to enter wanted item information into said database about at least one item wanted for purchase by said different customer; and if said item information matches said wanted item information, notifying said different customer about said item information (see paragraph 59).

Claim 18, Evans teaches:

querying said different customer as to whether said different customer desires to submit a classified advertisement to a newspaper regarding said wanted item information and, if so, automatically submitting a classified advertisement request to said newspaper on behalf of said different customer (see paragraph 59) but does not expressly teach said classified advertisement containing at least one of said primary address and said secondary address. However, the same rejection made in claim 1 regarding this missing limitation is also made in claim 18.

Claim 19, Evans teaches:

prompting said customer to enter e-mail contact information of potential buyers into said database (see paragraph 52).

Claim 20, Evans does not teach:

prompting potential purchasers of said at least one item for sale to submit bid information, and at least one of: displaying said bid information with said item information on said web page; and notifying said customer of said bid information. However, Official Notice is taken that it is old and well known in the computer art to bid for items on the Internet. It would have been obvious to a person of ordinary skill in the art at the time the application was made, to know that Evans would allow users to bid for items on the Internet, as it is old and well known to do so.

4. Claims 14 is rejected under 35 U.S.C. 103(a) as being unpatentable over Evans (US 2002/0036654) in view of Long (US 2004/0205476) and further in view of Kensey (US 2001/0037253).

Claim 14, Evans fails to teach:

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wherein said primary address includes a *subdomain corresponding* of a geographical region, wherein said geographical region includes one of a city and a state. However, Kensey teaches an electronic address, where an address of said electronic address refers to a designation of a geographical region (see paragraph 29). Therefore, it would have been obvious to a person of ordinary skill in the art at the time the application was made, to know that Evans and Long URL address printed in documents would include subdomain including geographical location as it is old and well known to do so, as taught by Kensey.

### ***Response to Arguments***

5. Applicant's arguments with respect to the claims have been considered but are moot in view of the new ground(s) of rejection.

### ***Conclusion***

6. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of

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the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

***Conclusion***

7. Any inquiry concerning this communication or earlier communications from the examiner should be directed to DANIEL LASTRA whose telephone number is 571-272-6720 and fax 571-273-6720. The examiner can normally be reached on 9:30-6:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, James W. Myhre can be reached on (571)272-6722. The official Fax number is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

/Raquel Alvarez/  
Primary Examiner, Art Unit 3688

/DANIEL LASTRA/  
Examiner, Art Unit 3688  
November 15, 2008

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